

Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2.e. of Commandant Instruction M16475.1B, revised 59 FR 38654, July 29, 1994, the promulgation of this regulation is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and Environmental Analysis Checklist are included in the docket. An appropriate environmental analysis of the fireworks program will be conducted in conjunction with the marine event permitting process.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Final Regulation

For reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A temporary section, 165.T01–031 is added to read as follows:

165.T01–031 Safety Zone; Macy's 1995 Fourth of July Fireworks, East River, New York.

(a) *Location.* This safety zone includes all waters of the East River, shore to shore, east of a line drawn from the Fireboat Station, at Battery Park, Manhattan, New York (40°42'16"N latitude 074°01'07"W longitude (NAD 1983)) to the Governors Island Light at the northwest point of Governors Island, New York (40°41'35"N latitude 074°01'11"W longitude (NAD 1983)); north of a line drawn from the Brooklyn Battery Tunnel ventilator shaft at Governors Island, New York, to the

northwest corner of Pier 6, Brooklyn, New York; south of a line drawn from Lawrence Point to Stony Point, and south of the Harlem River Footbridge. This safety zone also includes all waters of Newtown Creek, Brooklyn, New York, west of 073°57'35"W longitude (NAD 1983); and, within the boundaries of the safety zone, all waters inward of the pierheads and bulkheads south of Roosevelt Island.

(b) *Effective period.* This section is effective from 7 p.m. until 11 p.m. on July 4, 1995, unless extended or terminated sooner by the Captain of the Port New York.

(c) *Regulations.* (1) The general regulations contained in 33 CFR section 165.23 apply to this safety zone.

(2) No vessels will be allowed to enter the safety zone without permission of the Captain of the Port New York.

(3) The following vessels may enter the safety zone:

(i) Vessels less than 20 meters (65.6 feet) in length, carrying persons for the sole purpose of viewing the fireworks display, may enter the safety zone and remain north of the southern tip of Roosevelt Island. Such vessels may enter the safety zone and proceed to a position north of the southern tip of Roosevelt Island through the safety zone's northern boundaries at all time. Such vessels desiring to enter the safety zone through the safety zone's southern boundaries must be in a position north of the southern tip of Roosevelt Island prior to 7 p.m.; after 7 p.m. these vessels will only be permitted to enter the safety zone through the safety zone's northern boundaries.

(ii) Vessels greater than 20 meters (65.6 feet) in length, carrying persons for the sole purpose of viewing the fireworks display, may enter the safety zone and take position at least 200 yards off the west bank of the East River between the Williamsburg Bridge and the charted position of Buoy 18 (LLNR 27335). These vessels may enter the safety zone and proceed to this area between 7 p.m. and 8 p.m. only through the safety zone's southern boundaries and must remain in position until released by the Captain of the Port New York.

(iii) The Staten Island and Coast Guard ferries may continue services to their ferry slips at the Battery, Manhattan, New York, but will not be permitted to transit east of the Coast Guard ferry slip, also known as Slip 6, at the Battery, Manhattan, New York.

(4) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel

include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: June 21, 1995.

T.H. Gilmour,

Captain, U.S. Coast Guard, Captain of the Port of New York.

[FR Doc. 95–16148 Filed 6–29–95; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 165

[CGD13–95–029]

RIN 2115–AA97

Safety Zone Regulations; Port Townsend Bay Fourth of July Jefferson Day Fireworks Display, Port Townsend, WA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Fourth of July Jefferson Day Fireworks Display in Port Townsend, Washington. This event will be held on Tuesday, July 4, 1995, from 10 p.m. (PDT) to 12 midnight (PDT) on the waters of Port Townsend Bay, Washington. This safety zone is needed to protect persons, facilities and vessels from safety hazards associated with the fireworks display. Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATE: This regulation becomes effective July 4, 1995, from 10 p.m. (PDT) to 12 midnight (PDT), unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT K.M. Paquette, c/o Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, WA 98134, (206) 217–6232.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rule making was not published for this regulation and good cause exists for making it effective less than 30 days after *Federal Regulation* publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is necessary to ensure the safety of structures and vessels operating in the area of the fireworks display. If normal notice procedures were followed, this rule would not become effective until after the date of the event. For this reason, following

normal rulemaking procedures in this case would be impracticable.

Drafting Information

The principal persons involved in drafting this document are LT Kristy Paquette, Project Manager, and LCDR John C. Odell, Project Counsel, Thirteenth Coast Guard District Legal Office.

Background and Purpose

The Coast Guard, through this action, intends to promote the safety of spectators and participants in this event. The fireworks display is conducted from a barge located on the waters of Port Townsend Bay, Port Townsend, Washington.

During the fireworks display, spectator vessels may attempt to approach the fireworks launching site at close range. If allowed to do so, these vessels and the persons onboard them may be exposed to potential damage, fire and personal injury from sparks, falling debris, and unexploded fireworks.

In order to promote the safety of life and property on the navigable waters during this event, the Coast Guard is establishing a safety zone around the fireworks launching barge in order to keep both the spectators and participants away from the fireworks launching barge during the fireworks display. Entry into this zone will be prohibited unless authorized by the Captain of the Port. This safety zone will be enforced by representatives of the Captain of the Port Puget Sound, Seattle, Washington. The Captain of the Port may be assisted by other federal agencies.

Regulatory Evaluation

This temporary final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedure of DOT is unnecessary. The safety zone established by this regulation encompasses less than a half of one square nautical mile on Port Townsend Bay. Entry into the safety zone will be restricted for less than three hours on

the day of the event. Therefore, these restrictions will have little effect on maritime commerce in the area. If safe to do so, the representative of the Captain of the Port assigned to enforce this safety zone may authorize commercial vessels to pass through the safety zone on a case-by-case basis.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). For the reasons outlined in the Regulatory Evaluation above, the Coast Guard expects the impact on small entities to be minimal. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 and has determined that the temporary final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this action and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B (as revised by 59 FR 38654; July 29, 1994), this rule is categorically excluded from further environmental documentation. A categorical exclusion determination is available in the docket for inspection or copying were indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

Final Regulations

For the reasons set out in the preamble, the Coast Guard amends 33 CFR 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

2. A temporary section 165.T13–027 is added to read as follows:

§ 165.T13–027 Port Townsend Bay, Port Townsend, WA.

(a) *Location.* The following area is a safety zone: All portions of Port Townsend Bay within the following area: a circle with a radius of 700 yards extending out from the tug and fireworks barge located at latitude 48°06'20" N; longitude 122°44'38" W. This safety zone resembles a circle centered around the barge from which the fireworks demonstration will be launched. [Datum: NAD 1983].

(b) *Effective dates.* This section is effective on July 4, 1995, from 10 p.m. (PDT) to 12 midnight (PDT) unless sooner terminated by the Captain of the Port.

(c) *Regulation.* In accordance with the general regulations in § 165.23 of this part, entry into this safety zone is prohibited unless authorized by the Captain of the Port, Puget Sound, Seattle, WA or his designated representative. Designated representatives may include any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Puget Sound, to act on his behalf.

Dated: June 27, 1995.

R.K. Softye,

Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.

[FR Doc. 95–16144 Filed 6–29–95; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 165

[CGD13–95–019]

Safety Zone Regulations; Fort Vancouver Fourth of July Fireworks Display, Columbia River, Vancouver, WA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Fort Vancouver Fourth of July Fireworks Display to be held on the Columbia